

REMARKS

Applicants respond hereby to the outstanding final Office Action mailed September 6, 2007, in the above-identified application. Claims 1-26 remain pending hereinafter, where claims 1, 20, 21 and 22 are the independent claims.

In the final Office Action, the Examiner rejects (on final) claims 1-10, 12, 14-16, 18 and 20-22 under 35 USC 102(b) in view of pending, published US Patent Application No. 2003/0074222 to Rosow, et al. (Rosow). Claim 8 is rejected (on final) under 35 USC 103(a) by Rosow in view of US Patent No. 6,283,761 to Joao. Claim 11 under is rejected (on final) under Section 103(a) by Rosow (as applied to claim 9) in view of US Patent no. 5,018,067 to Mohlenbrook, et al. (Mohlenbrook). Claims 13 and 19 are rejected (on final) under Section 103 (a) by Rosow (as applied to claim 9) in view of US Patent 5,860,917 to Comanor, et al. (Comanor) and claim 17 is rejected (on final) under Section 103 (a) by Rosow (as applied to claim 15) in view of US Patent No. 6,014,629 to DeBruin-Ashton.

In response, applicants submit that the present application predates Rosow, so that Rosow is not prior art under Section 102, and that this application has a right to priority under 35 USC §119 for January 9, 2001. Applicants' right of priority is based on applicants' Claim Of Priority mailed to the Patent Office on February 28, 2002, which submitted a certified copy of the priority document in Japanese (language). A copy of an English language translation of the Japanese priority document is attached hereto, including a statement by the translator, dated November 29, 2007, attesting that the translation of the certified priority document is accurate, and correct.

The January 9, 2001, certified priority document, including the correct and accurate English language translation of same submitted herewith, predates Rosow by about nine (9) months, so that Rosow is not a proper prior art reference under Section 102. That is, by their February 28, 2002, Claim Of Priority, including the certified copy of Japanese Patent application No. 2001-001693, and by their instantly submitted English language translation of the January 9, 2001, and statement indicating the accuracy of same translation, applicant's respectfully assert that the filing date of this application under 35 USC §119 predates Rosow (provisional application No. 60/317,784, filed September 7, 2001), and Rosow, therefore, is not a proper Section 102(b) reference, nor a proper reference under Section 103(a), with respect to this application.

Applicants, therefore, respectfully assert that the rejection of claims 1-10, 12, 14-16, 18 and 20-22 under 35 USC 102(b) in view of Rosow, the rejection of claim 8 under 35 USC 103(a) by Rosow in view of Joao, the rejection of claim 11 under Section 103(a) by Rosow (as applied to claim 9) in view of Mohlenbrook, the rejection of claims 13 and 19 under Section 103 (a) by Rosow (as applied to claim 9) in view of Comanor and the rejection of claim 17 under Section 103 (a) by Rosow (as applied to claim 15) in view of DeBruin-Ashton are obviated, or overcome.

Conclusion

It follows that each of pending claims 1-26 is patentable in view of Rosow, in view of Rosow with Joao, in view of Rosow with Mohlenbrook, in view of Rosow with Comanor, and in view of Rosow with DeBruin-Ashton. Applicants therefore urge the Examiner

to reconsider the rejection of claims 1-26, and allow the claims. If the Examiner believes that a telephone conference with applicants' attorneys would be advantageous to the disposition of this case, the Examiner is asked to telephone the undersigned.

Respectfully submitted,



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Attachments